

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

FILED
at Santa Fe, NM

FEB 18 2003

ROBERT M. WILSON, Clerk
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO *ex rel.*
State Engineer,

Plaintiff,
v.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 JEC-ACE

RIO CHAMA STREAM SYSTEM
Rutheron & Plaza Blanca, Section 7

WAIVER OF SERVICE OF SUMMONS

To: Edward G. Newville
State Engineer Office
P.O. Box 25102
Santa Fe, NM 87504-5102

I acknowledge receipt of your request that I waive service of a summons in the action of *State of New Mexico ex rel. State Engineer v. Aragon*, which is case number 69cv07941 JEC-ACE in the United States District Court for the District of New Mexico. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the adjudication suit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that the time allowed within which I must answer the complaint was extended pursuant to the interim procedural order entered by the court on November 26, 2001, and that I am not obligated to file an answer until after the entry of a new procedural order that establishes a deadline for rejecting the terms of the State's proposed Consent Order.

<u>Florence C. Beach</u>	<u>Florence C. Beach</u>
Signature	FLORENCE C. BEACH
Printed or typed name	
<u>HC 75 Box 1055 Rutheron, NM</u>	<u>Feb 07 2003</u>
Address	Date
87551	

RECEIVED

FEB 06 2003

OFFICE OF THE STATE ENGINEER
LEGAL SERVICES DIVISION

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